

## JUDGE LINDA SALAZAR

JUSTICE OF THE PEACE PCT, 2, PL. 1 835 E. LEVEE ST, BLDG, (2<sup>M</sup> FLOOR) BROWNSVILLE, TX 78520 TEL (956) 544-0857 FAX (956) 548-9573

# **INFORMATION ON CIVIL SUITS**

The RULES OF JUDICIAL ETHICS PROHIBITS THIS OFFICE FROM GIVING LEGAL ADVICE OR HEARING YOUR CASE WITHOUT THE PRESENCE OF THE DEFENDANT OR PLAINTIFF. If you need legal counseling, we highly recommend any licensed Texas attorney. Your first meeting with the attorney is usually free because the lawyer is trying to determine if they can be of service to you.

#### To begin your lawsuit:

- 1. For Debt Claim- You need to complete the Civil Suit Petition forms with the total dollar amount; including court costs \$138.00(to sue a 2<sup>nd</sup> defendant add \$90.00) and notary fee. PETITION FORMS MUST BE NOTARIZED.
- 2. Once you return the form, the clerk will type a citation informing the defendant that they are being sued. This process takes a few days, if the person is at the location indicated on your form.
- 3. The defendant receives the lawsuit and has 14 days to respond the Office of the Justice of the Peace.
- 4. Your case will be scheduled to be heard in court after the defendant is served with the lawsuit.
- 5. In a Civil Suit, Corporations must be represented by an Attorney-TRCP 7.

REMEMBER, YOU MUST HAVE SUFFICIENT EVIDENCE PROVING THAT THE DEFENDANT IS GUILTY!! THE DEFENDANT IS INNOCENT AND IT IS YOUR JOB TO PROVE (WITH RECEIPTS, JOURNALS, RECORDS, POLICE REPORT, WITNESSES) TO THE JUDGE OR JURY THAT THE PERSON COMMITTED A WRONG. IF YOU DO NOT PROVIDE ENOUGH PROOF, THE CASE WILL BE DISMISSED.

Any case involving an auto accident, in which damages were incurred, should have three (3) estimates for repair of the vehicle.

If you have any questions concerning the forms from this office, please ask the clerk for some assistance. IF YOU HAVE ANY LEGAL QUESTION, CONTACT LEGAL AID AT 546-5558 OR 1-800-369-2651!

Thank you.

#### **DEBT CLAIM CASE**

CASE NO. (court use only) In the Justice Court Precinct 2-1 PLAINTIFF\_\_\_\_\_ Cameron County, Texas DEFENDANT(S):\_\_\_\_ Defendant(s) address info: COMPLAINT: The basis for the claim which entitles the plaintiff to seek relief against the defendant is: RELIEF: Plaintiff seeks damages in the amount of \$\_\_\_\_\_\_. SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are: ADDITIONAL INFORMATION (CASE BASED ON CREDIT CARD, REVOLVING ACCOUNT, OR OPEN ACCOUNT): Account/Credit Card Name: \_\_\_\_\_ Account Number (may be masked): Date of Issue/Origination: \_\_\_\_\_ Date of Charge-Off/Breach: \_\_\_\_\_ Amount Owed \$\_\_\_\_ as of \_\_\_ ADDITIONAL INFORMATION (CASE BASED ON PROMISSORY NOTE OR OTHER PROMISE TO PAY PERSONAL OR BUSINESS LOAN): Date/Amount of Original Loan: \_\_\_\_\_\_\_\$ \_\_\_\_\_ Repayment Accelerated? \_\_\_\_\_ Date Final Payment Due: \_\_\_\_\_ Amount Due on Final Payment Date \$\_\_\_\_\_ Amount Due \$\_\_\_\_\_ as of \_\_\_\_\_ does, or does not seek ongoing interest. If so, this interest is based on the following ONGOING INTEREST: Plaintiff L contractual/statutory reason: and should be at \_\_\_\_\_%. \$\_\_\_\_\_ of interest was due as of **ASSIGNMENT OF CLAIM: Plaintiff** \_\_\_\_, or \_\_\_\_\_lot assigned or otherwise transferred this claim. If so, the original claimant/creditor was \_\_\_\_\_\_\_ subsequent holders were \_\_\_\_\_\_\_\_\_ and the date the case was assigned/transferred to plaintiff was \_\_\_\_ If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address: Petitioner's Printed Name Signature of Plaintiff or Attorney DEFENDANT(S) INFORMATION (if known): Address of Plaintiff's Attorney, if any, or Plaintiff if none DATE OF BIRTH: \*LAST 3 NUMBERS OF DRIVER LICENSE: State Zip \*LAST 3 NUMBERS OF SOCIAL SECURITY: DEFENDANT'S PHONE NUMBER: Phone & Fax No. of Plaintiff's Attorney, if any, or Plaintiff if none Sworn to and subscribed before me this \_\_\_day of \_\_\_\_\_\_, 20\_\_\_. Debt Claim Petition, 7/2013 Notary Public in and for The State of Texas \_\_\_\_ County, TX.

My Commission Expires on

### **DEBT CLAIM CASE**

CASE NO. (court use only)

In the Justice Court Precinct 2-1 Cameron County, Texas DEFENDANT(S): \_\_\_\_\_ Defendant(s) address info: COMPLAINT: The basis for the claim which entitles the plaintiff to seek relief against the defendant is: RELIEF: Plaintiff seeks damages in the amount of \$\_\_\_\_\_\_ SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are: ADDITIONAL INFORMATION (CASE BASED ON CREDIT CARD, REVOLVING ACCOUNT, OR OPEN ACCOUNT): Account/Credit Card Name: \_\_\_\_\_\_ Account Number (may be masked): \_\_\_\_ Date of Issue/Origination: \_\_\_\_\_ Date of Charge-Off/Breach: \_\_\_\_ Amount Owed \$\_\_\_\_ as of ADDITIONAL INFORMATION (CASE BASED ON PROMISSORY NOTE OR OTHER PROMISE TO PAY PERSONAL OR BUSINESS LOAN): Date/Amount of Original Loan: \_\_\_\_\_\_\$ Repayment Accelerated? \_\_\_\_ Date Final Payment Due: \_\_\_\_\_

Amount Due on Final Payment Date \$ \_\_\_\_\_ Amount Due \$ \_\_\_\_\_ as of \_\_\_\_\_ ONGOING INTEREST: Plaintiff does, or does not seek ongoing interest. If so, this interest is based on the following contractual/statutory reason: \_\_\_\_\_ and should be at \_\_\_\_%. \$\_\_\_\_ of interest was due as of **ASSIGNMENT OF CLAIM: Plaintiff** not assigned or otherwise transferred this claim. If so, the original claimant/creditor was \_\_\_\_\_, subsequent holders were \_\_\_\_\_\_\_, and the date the case was assigned/transferred to plaintiff was \_\_\_\_\_ If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address: Petitioner's Printed Name Signature of Plaintiff or Attorney **DEFENDANT(5) INFORMATION (if known):** Address of Plaintiff's Attorney, if any, or Plaintiff if none DATE OF BIRTH: \*LAST 3 NUMBERS OF DRIVER LICENSE:\_\_\_\_\_ City State Zip \*LAST 3 NUMBERS OF SOCIAL SECURITY:\_\_\_\_ DEFENDANT'S PHONE NUMBER:\_\_\_\_\_ Phone & Fax No. of Plaintiff's Attorney, if any, or Plaintiff if none Sworn to and subscribed before me this \_\_day of \_\_\_\_\_\_ 20\_\_\_. Debt Claim Petition, 7/2013 Notary Public in and for The State of Texas County, TX. My Commission Expires on\_

	No			
_	VS.	)( )( )( )( )(	IN THE JUSTICE COURT PRECINT 2 PLACE 1 CAMERON COUNTY, TEXA	AS
	SERVICEMEMB	ERS CIVIL RE	LIEF ACT AFFIDAVIT	
Plai	ntiff being duly sworn on oath de	eposes* and says	that defendant(s) is (are)	
		(CHECK ON	(E)	
	not in the military			
	not on active duty in the military and/or			
	not in a foreign country on military service			
	on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003			
0	has waived his/her rights under the Servicemembers Civil Act of 2003			
	military status is unknown at th			
		PLAINTII	F	
(Sel	ect the applicable title under the	signature for the	jurat below)	
	Subscribed and sworn to before	e me no this the _	day of	_, 20
		NOTARY	/ CLERK	
		□ Notary Pul	blic in and for the State of Texas	
	SEAL			

<sup>\*</sup>Penalty for making or using false affidavit – a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in Title 18, United States Code, or imprisoned for not more than one year or both.